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10/029,172	12/28/2001	Paul Thomas Watson	BS01-326	4609

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EXAMINER
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HOSSAIN, FARZANA E

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/20/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/029,172	<b>Applicant(s)</b> WATSON ET AL.	
	<b>Examiner</b> Farzana E. Hossain	<b>Art Unit</b> 2623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 January 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/24/2007 has been entered.

### ***Response to Amendment***

2. This office action is in response to communications filed 01/24/2007. Claims 1-4, 7-12, 18-20 are amended. Claims 5, 6 are previously presented. Claims 13-17 are cancelled.

3. Claim 6 has the incorrect heading "Currently Amended." The heading should be "Previously Presented."

### ***Response to Arguments***

4. The drawings should be properly labeled or detailed. The examiner agrees that the figures have reference numerals. Figure 1 is currently a block drawing and should include descriptive labels such as STB for 106 as well as the reference numeral.

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5. The applicant argues due to the amendments to the claims the previous rejections under 112, first paragraph are moot.

The examiner respectfully disagrees. The 112 rejection for Claim 6 remains and a new 112 rejection has been added for claim 7. The examiner would like the applicant to point to the sections for each amendment added. The applicant's disclosure discloses that the STB performs these processes (Pages 12-13, paragraphs 0048-0049) and that the remote resource manager or processor performs the function (Page 3, paragraphs 0012, 0013). However, a separate processor from the remote resource manager or that a processor is coupled to the first and second ports, tuner and resource manager is not supported in the figures or the applicant's specification. There is no support for a separate processor (from the resource manager) executing the operating instruction to repartition the capacity of a disk drive in addition to a resource manager.

6. Applicant's arguments with respect to claims 1-6, 18-20 have been considered but are moot in view of the new ground(s) of rejection.

7. Applicant's arguments filed 01/24/2007 for claims 7-12 have been fully considered but they are not persuasive. Applicant argues that Shintani, Safadi, Nissimov and Coss do not suggest, teach Claim 7 including a processor coupled to the first port, the second port, the tuner, and the resource manager, the processor executing the operating instruction to repartition the capacity of a disk drive.

In response the argument, Shintani discloses that there is a resource manager or CPU (Figure 2, 132, Page 3, paragraph 0025) and CAM which includes a CPU or processor which processor services (Page 3, paragraph 0026, Figure 2, 140) and that the processor is connected to the first port, the second port, the tuner and the resource manager (Figure 2, Pages 1-2, paragraphs 0016, 0021). Nissimov discloses a resource manager or CPU with BIOS RAM storing resource information associated with the STB describing a number of disk drives and capacity of each disk drive (Column 4, lines 35-65), a processor or drive controller coupled to the resource manager, the processor executing the operating instruction to repartition the capacity of the disk drive (Column 4, lines 35-65, Column 5, lines 8-47).

Also note that there is a 112 first paragraph rejection for Claim 7 as the examiner has only found support for a remote resource manager performing these functions. See 112 rejections below.

### ***Drawings***

8. The drawings should be properly labeled or detailed. The examiner understands that the figures have reference numerals. Figure 1 is currently a block drawing and can include labels such as STB for 106.

The drawings are objected to under 37 CFR 1.83(a) because they fail to show Figure 1, 102, 104, 114, 106, 112, Figure 2, 220, 218 as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing

sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claims 6 and 7-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 6 (including 1) and 7:

The specification does not distinguish between a resource manager/processor and remote resource manager, however the current claims claim 6 comprises a remote resource manager and claim 7 comprises a resource manager and a processor. Claim 7 discloses the processor is coupled to the first port, second port, tuner, and resource manager and executes the operating instructions to repartition the capacity of a disk drive.

The specification discloses the service provider receiving resource information for a remote resource manager operating in the STB (paragraph 0042-0043) and does not disclose the STB's processor receiving resource information for a remote resource manager operating in the STB and executing the operating instruction.

The applicant's disclosure discloses that the STB performs these processes (Pages 12-13, paragraphs 0048-0049) and that the remote resource manager or processor performs the function (Page 3, paragraphs 0012, 0013).

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to

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a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1, 3, 18, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levin et al (US 6,654,546 and hereafter referred to as "Levin") in view of Gold (US 6,662,284) and Feigen et al (US 6,925,566 and hereafter referred to as "Feigen").

Regarding Claims 1 and 18, Levin discloses a set top box, and a method comprising: a port coupled to a processor (Figure 1, 113). Microsoft's Computer Dictionary (4<sup>th</sup> edition) defines port as an interface through which data is transferred between a computer and other device, a network or a direct connection to another computer. Levin discloses the processor controlling and processing resource information associated with the STB or playback device describing disk drive and other mass storage devices and a capacity of the disk drive (Figure 1, 112, Column 2, lines 37-41), the port receiving an operating instruction (Column 3, lines 1-25, 39-64, Figure 2, Figure 3); wherein the processor executes the operating instruction to repartition the capacity of a disk drive (Column 3, lines 1-6, 39-64). Levin is silent on the port sending resource information associated with the set top box describing the number of disk drives and capacity of storage and initiating communication between a STB and a service provider.

In analogous art, Gold discloses describing the number of disk drives and capacity of each disk drive (Column 3, lines 64-67, Column 4, lines 1-3, Column 5, lines 10-25, 60-67, Column 6, lines 1-10, 53-67, Column 7, lines 1-19). In analogous art, Feigen discloses a set top box (STB) or remote unit, comprising: a port (Figure 1, 14). Microsoft's Computer Dictionary (4<sup>th</sup> edition) defines port as an interface through which



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data is transferred between a computer and other device, a network or a direct connection to another computer. It is necessarily included that the STB includes a processor as the STB performs processes and sends resource information (Figure 2, Column 6, lines 53-67, Column 7, lines 1-6, 26-43). Feigen discloses a method of initiating communications between a STB or remote unit (Figure 1, 14, Column 3, lines 18-20) and a service provider (Figure 2, Column 6, lines 53-67, Column 7, lines 1-6); Feigen discloses the port of the remote communication unit or STB sending resource information associated with the STB describing memory space and size (Figure 2, Column 6, lines 53-67, Column 7, lines 1-6). Microsoft's Computer Dictionary (4<sup>th</sup> edition) defines memory a device where information can be stored and retrieved and in the most general sense memory can refer to disk drives. Therefore, it would have been obvious at the time the invention was made to one of ordinary skill in the art to modify Levin to include describing the number of disk drives (Column 3, lines 64-67, Column 4, lines 1-3, Column 5, lines 10-25, 60-67, Column 6, lines 1-10, 53-67, Column 7, lines 1-19) as taught by Gold in order to verify that customers cannot increase disk configuration to help protect the customer from is configuration and to protect the manufacturer's pricing of storage (Column 1, lines 12-20) as disclosed by Gold. Therefore, it would have been obvious at the time the invention was made to one of ordinary skill in the art to modify Levin to include initiating communications between a STB or remote unit (Figure 1, 14, Column 3, lines 18-20) and a service provider (Figure 2, Column 6, lines 53-67, Column 7, lines 1-6) and the port of the remote communication unit or STB sending resource information associated with the STB

describing memory space and size (Figure 2, Column 6, lines 53-67, Column 7, lines 1-6) as taught by Feigen in order to verify the integrity of remote units in a communication system (Column 1, lines 45-47) as disclosed by Feigen.

Regarding Claims 3 and 20, Levin and Feigen disclose all the limitations of Claims 1 and 18 respectively. Levin discloses the operating instruction causes the processor to increase the capacity of the disk drive (Column 3, lines 1-25, 39-64, Figure 2, Figure 3).

13. Claims 2 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levin in view of Gold, Feigen as applied to claim 1 above, and further in view of Bruynsteen et al (US 6,658,663 and hereafter referred to as "Bru").

Regarding Claims 2 and 19, Levin, Gold and Feigen disclose all the limitations of Claims 1 and 18 respectively. Levin, Gold and Feigen are silent on operating instruction causes the processor to limit the capacity of disk drive. Bru discloses a set top box, and a method comprising: a port coupled to a processor (Figure 1, 116); the processor controlling and processing resource information associated with the STB or CE equipment describing the disk drive and its capacity (Figure 1, 106, 108, Column 1, line 8, Column 2, line 62, Column 3, lines 33-60), the port receiving an operating instruction (Column 4, lines 5-31); wherein the processor executes the operating instruction to repartition the capacity of a disk drive (Column 4, lines 5-44). Bru disclose that the apparatus with storage can include hard disk drive or sold state memory (Column 1, lines 7-10, Column 2, lines 54-65). Microsoft's Computer

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Dictionary (4<sup>th</sup> edition) defines port as an interface through which data is transferred between a computer and other device, a network or a direct connection to another computer. Bru discloses the operating instruction causes the processor to limit the capacity of the disk drive (Column 4, lines 5-14). Therefore, it would have been obvious at the time the invention was made to one of ordinary skill in the art to modify the combination to include the operating instruction causes the processor to limit the capacity of the disk drive (Column 4, lines 5-14) as taught by Bru in order to provide the end user with the capability of upgrade the storage capacity for a fee, however to also prevent unauthorized tampering with the storage capacity (Column 3, lines 61-64, Column 4, lines 42-44) as disclosed by Bru so that there is no loss of revenue from unauthorized upgrades.

14. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levin in view of Gold and Feigen as applied to claim 1 above, and further in view of Coss et al (US 6,170,012 and hereafter referred to as "Coss").

Regarding Claim 4, Levin, Gold and Feigen disclose all the limitations of Claim 1. Levin discloses receiving operating instruction (Column 3, lines 1-25, 39-64,). Levin, Gold and Feigen are silent on a firewall analyzing received information. Coss discloses a user site connected to the Internet via a firewall processor (Figure 2, 211). Coss discloses that a firewall can be resident in a STB (Column 2, lines 54-57, Column 10, lines 20-24). Coss discloses that the user in communication with the Internet (Column 10, lines 25-27), which would include that the STB interfaces to the Internet or

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necessarily includes a port. It is necessarily included that the firewall resident in the STB to receive communications from the port. Coss discloses that the firewall is capable of filtering or analyzing information received from the Internet (Figure 4, Column 5, lines 36-50). Therefore, it would have been obvious at the time the invention was made to modify the combination to include a firewall in communication (Column 2, lines 54-57, Column 10, lines 20-24) and to analyze received information (Column 5, lines 36-50) as taught by Coss in order to facilitate parental control of Internet of video access in the home (Column 10, lines 25-27) as disclosed by Coss.

Regarding Claim 5, Levin, Gold, Feigen and Coss disclose all the limitations of Claim 4. Coss disclose the firewall is logically between the port and other components associated with the STB (Figure 1, 111, 113, 114) as the firewall is resident in the STB to filter received communications (Column 2, lines 54-57, Column 10, lines 20-24, Column 5, lines 36-50).

15. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Levin in view of Gold and Feigen as applied to claim 1 above, and further in view of Nissimov et al (US 5,327,549 and hereafter referred to as "Nissimov").

Regarding Claim 6, Levin and Feigen disclose all the limitations of Claim 1. Gold discloses that license data or resource information is stored (Column 3, lines 64-67, Column 4, lines 1-3, Column 5, lines 10-25, 60-67, Column 6, lines 1-10, 53-67, Column 7, lines 1-19). Levin and Feigen are silent on the processor receiving the resource information from a remote resource manager operating in the STB. Nissimov discloses

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a remote resource manager or CPU with BIOS RAM storing resource information associated with the STB describing a number of disk drives and capacity of each disk drive (Column 4, lines 35-65), a processor or drive controller coupled to the resource manager, the processor executing the operating instruction to repartition the capacity of the disk drive (Column 4, lines 35-65, Column 5, lines 8-47). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include processor receiving the resource information from a remote resource manager operating in the STB (Column 4, lines 35-65, Column 5, lines 8-47) as taught by Nissimov in order to determine the configuration of the system (Column 1, lines 13-16, Column 4, lines 63-64) as disclosed by Nissimov.

16. Claims 7, 9, 10, 12, are rejected under 35 U.S.C. 103(a) as being unpatentable over Shintani et al (US 2002/0095687 and hereafter referred to as "Shintani") in view of Nissimov, Safadi (US 6,256,393 and hereafter referred to as "Safadi"), and Coss.

Regarding Claim 7, Shintani discloses a set top box (STB) (Figure 1, 22) comprising: a first port or a coaxial cable is connected to a cable connector (Pages 1-2, paragraph 0016, Figure 1, 20, 22) or any transmission medium disclosed such as satellite communication system would necessarily include a port or place of access to a device which interfaces with the STB (Pages 1-2, paragraph 0016, Figure 1, 20, 22). Microsoft's Computer Dictionary (4<sup>th</sup> edition) defines port as an interface through which data is transferred between a computer and other device, a network or a direct connection to another computer. Shintani discloses the STB can interface with a second

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network such as DSL to connect to Internet, which necessarily includes a second port (Page 2, paragraph 0021), receiving information from the second communication network (Page 2, paragraph 0021) and capable of communicating with the Internet. Shintani discloses a tuner (Figure 2, 104) in communication with the first communications network (Figure 2) and capable of selecting a program or which receives a video signal from cable or satellite sources necessarily tunes to a program selected by a user (Page 1-3, paragraph 0016, paragraph 0023) and at least one disk drive capable of storing program information (Page 2, paragraph 0018). Shintani discloses that there is a resource manager or CPU (Figure 2, 132, Page 3, paragraph 0025) and CAM which includes a CPU or processor which processor services (Page 3, paragraph 0026, Figure 2, 140) and that the processor is connected to the first port, the second port, the tuner and the resource manager (Figure 2, Pages 1-2, paragraphs 0016, 0021). Shintani is silent on the second port receiving an operating instruction from the second communications network, a resource manger storing the resource information associated with the STB describing a number of disk drives and a capacity of each disk drive, a processor executing the operating instruction to repartition the capacity of a disk drive, and firewall which is in communications with a second port and the firewall capable of receiving communications with a second port and capable of filtering the information received from the second communications network.

Nissimov discloses a resource manager or CPU with BIOS RAM storing resource information associated with the STB describing a number of disk drives and capacity of each disk drive (Column 4, lines 35-65, Column 5, lines 43-45), a processor or drive

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controller coupled to the resource manager, the processor executing the operating instruction to repartition the capacity of the disk drive (Column 4, lines 35-65, Column 5, lines 8-47). Safadi discloses a STB (Figure 1, 350) interfaces to a Local Access Controller or first port and National Access Controller or second port (Figure 1), and the STB receiving an operating instruction from the second communications network or National Access Controller (Column 9, lines 41-53) and the secure processor or resource manager storing the resource information including BIOS (Column 8, lines 58-67, Column 9, lines 1-5). Safadi discloses that a processor or user processor coupled to the resource manager or secure processor, the processor executing the operation instruction (Column 9, lines 31-65). Coss discloses a user site connected to the Internet via a firewall processor (Figure 2, 211). Coss discloses that a firewall can be resident in a STB (Column 2, lines 54-57, Column 10, lines 20-24). Coss discloses that the user in communication with the Internet (Column 10, lines 25-27), which would include that the STB interfaces to the Internet or necessarily includes a port. It is necessarily included that the firewall resident in the STB to receive communications from the port. Coss discloses that the firewall is capable of filtering information received from the Internet or the second communications network (Figure 4, Column 5, lines 36-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shintani to include a resource manager or CPU with BIOS RAM storing resource information associated with the STB describing a number of disk drives and capacity of each disk drive (Column 4, lines 35-65), a processor or drive controller coupled to the resource manager, the processor executing

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the operating instruction to repartition the capacity of the disk drive (Column 4, lines 35-65, Column 5, lines 8-47) as taught by Nissimov in order to determine the configuration of the system and to determine a way to not waste some of the storage capacity (Column 4, lines 63-64) as disclosed by Nissimov. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shintani the second port receiving an operating instruction from the second communications network (Column 9, lines 41-53) as taught by Safadi in order to prevent unauthorized utilization of a STB (Column 1, lines 52-60) as disclosed by Safadi. Therefore, it would have been obvious at the time the invention was made to Shintani to include a firewall in communication with the STB's interface to the Internet (Column 2, lines 54-57, Column 10, lines 20-24), to necessarily receive communications from the STB's interface and to filter received information (Column 5, lines 36-50) as taught by Coss in order to facilitate parental control of Internet of video access in the home (Column 10, lines 25-27) as disclosed by Coss.

Regarding Claim 9, Shintani, Nissimov, Safadi and Coss disclose all the limitations of Claim 7. Nissimov discloses that e operating entire capacity the processor to increase the capacity of the disk drive (Column 4, lines 35-68, Column 8, lines 1-68) in order to utilize the entire capacity of the disk drive.

Regarding Claim 10, Shintani, Nissimov, Safadi and Coss disclose all the limitations of Claim 7. Coss discloses the firewall includes a stateful inspection (Column 5, lines 36-50).



Regarding Claims 12, Shintani, Nissimov, Safadi and Coss disclose all the limitations of Claim 7. Nissimov discloses that the resource information including BIOS describes the disk drive and capacity and repartitions the disk drive (Column 4, lines 35-65, Column 5, lines 8-47). Safadi discloses operating instructions to update by downloading software including the BIOS (Column 7, lines 30-32, Column 9, lines 31-65) and after the operating instruction has been executed, receiving an interrogation via the second port that again retrieves the resource information to verify that the BIOS or software was updated or making periodic checks for monitoring purposes to verify that the BIOS was updated (Column 9, lines 31-65).

17. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shintani in view of Nissimov, Safadi and Coss as applied to claim 7 above, and further in view of Bru.

Regarding Claim 8, Shintani, Nissimov, Safadi and Coss disclose all the limitations of Claim 7. Shintani, Nissimov, Safadi and Coss are silent on the operating instruction causes the processor limits the capacity of the disk drive. Bru discloses the operating instruction causes the processor limits the capacity of the disk drive (Column 4, lines 5-14). Therefore, it would have been obvious at the time the invention was made to one of ordinary skill in the art to modify the combination to include the operating instruction causes the processor limits the capacity of the disk drive (Column 4, lines 5-14) as taught by Bru in order to provide for the provider to make a profit from the user (Column 4, lines 5-42) as disclosed by the user.

18. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shintani in view of Nissimov, Safadi and Coss as applied to claim 7 above, and further in view of del Val et al (US 6,128,653 and hereafter referred to as "Val").

Regarding Claims 11, Shintani, Nissimov, Safadi and Coss disclose all the limitations of Claim 7. Coss discloses that the firewall is resident in the STB (Column 10, lines 20-24). Coss discloses that the firewall analyzes data arriving in communications protocols such as Internet protocol (IP), transmission control protocol (TCP) or universal datagram protocol (UDP) (Column 5, lines 59-64). Shintani, Nissimov, Safadi and Coss are silent on firewall capable of analyzing information formatted in a communications protocol. Val discloses a system in which client computer requests information from a server (Figure 1). Val discloses that the firewall can block protocols transmitted from the server to the client computer (Column 5, lines 13-15, Figure 4, Column 8, lines 45-49), which reads on the firewall analyzing information formatted in the protocol. Therefore, it would have been obvious at the time the invention was made to one of ordinary skill in the art to Shintani in view of Nissimov, Safadi and Coss the firewall capable of analyzing information formatted in a communications protocol (Column 5, lines 13-15, Figure 4, Column 8, lines 45-49) as taught by Val in order to improve communications in client server architectures (Column 1, lines 53-58) as disclosed by Val.

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**Conclusion**

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FEH  
April 12, 2007

  
SCOTT E. BELIVEAU  
PRIMARY PATENT EXAMINER